REMARKS

Claims 1-16 and 19 remain pending. Claims 17-18 are hereby canceled without prejudice. Claims 1, 8, 9, 11, 12, 16, and 19 are hereby amended. No new matter is being added.

Claims 1-15 and 19

Claims 1-15 and 19 were rejected under Section 102 as being anticipated by Shankar et al (US 2004/0066781). Applicant respectfully traverses the rejection with respect to the claims as they are now amended.

Amended claim 1 now recites as follows.

1. A method of processing a packet sent to a provider network, the method comprising:

>   receiving the packet via a user port of a first edge switch of the network, wherein the user port is an input port of the first edge switch;

>   determining forwarding and routing by the edge switch based on a user VLAN identifier (VID) of a user VLAN tag for the packet; and

>   **creating a tunnel between the user port of the first edge switch and a user port of a second edge switch using double VLAN tagging** by inserting a provider VLAN tag, including a provider VID, into the packet at a provider port of the edge switch prior to transmission of the packet via the provider port, wherein the provider port is an output port of the edge switch; and

>   **providing a service level in relation to traffic flowing through said tunnel which provides a security action of dropping the packet or forwarding the packet to management software.**

(Emphasis added.)

As shown above, claim 1 now includes the further limitations of "**creating a tunnel between the user port of the first edge switch and a user port of a second edge switch using double VLAN tagging ....**" and "**providing a service level in relation to traffic flowing through said tunnel which provides a security action of dropping the packet or forwarding the packet to management software.**"

These further limitations are supported in the specification, for example, on page 7, lines 13-23, which are reproduced below for convenience of reference.

As discussed above, an embodiment of the invention provides a method of routing and forwarding packets using double Q tagging. The second (provider) tag is inserted upon exit at a provider port, instead of upon receipt at a user port. The double Q tagging is utilized to create a tunnel between a user port of a first switch and a user port of a second switch. A user-expected service level may be provided in relation to traffic flowing through the tunnel. The user-expected service level may involve a quality of service (QOS) level, such as a COS level, for the packets. The user-expected service level may also involve a security action for the packets. The security action may comprise, for example, dropping the packet, or forwarding the packet to management software for further analysis.

Applicant respectfully submits that Shankar et al does <u>not</u> teach or disclose these further limitations. Specifically, Shankar et al does <u>not</u> teach or disclose "creating a **tunnel** between the user port of the first edge switch and a user port of a second edge switch using double VLAN tagging ...." and "providing a service level in relation to traffic flowing through said tunnel which provides **a security action of dropping the packet or forwarding the packet to management software.**" (Emphasis added.)

In addition, regarding Srikanth, applicant respectfully submits that Srikanth does <u>not</u> teach "double VLAN tagging" in which "a provider VLAN tag" is inserted, in addition to "a user VLAN tag for the packet." Srikanth teaches merely a **single VLAN tag**. For example, box 420 in FIG. 4 of Srikanth shows the insertion of such a

single VLAN tag. This is described in column 4, line 39 through column 5, line 12 of Srikanth.

Finally, regarding Dobbins, applicant respectfully submits that the secure policy taught by Dobbins drops the packet if the source and destination are **on the same switch port**. For example, column 17, lines 34-36 recite as follows. "If the source and destination are on the same port (step **105**), then the packet is filtered (i.e., dropped (step **106**)." (Emphasis in original.) In addition, column 17, lines 41-43, recite as follows. "... the packet is either filtered or connected depending upon whether the source and destination are on the same port (step **105**)." (Emphasis in original.) In contrast, amended claim 1 requires "providing a service level **in relation to traffic flowing through said tunnel** which provides a security action of dropping the packet or forwarding the packet to management software." (Emphasis added.) Hence, the security action of dropping the packet or forwarding the packet to management software, as required by claim 1, is in relation to traffic flowing through the tunnel from the first edge switch to the second edge switch.

Therefore, for at least the above-discussed reasons, applicant respectfully submits that amended claim 1 now overcomes this rejection and is patentably distinguished over the cited art.

Claims 2-10 depend from claim 1. Hence, applicant respectfully submits that claims 2-10 now also overcome this rejection for at least the same reasons discussed above in relation to claim 1.

Independent claims 11, 12 and 19 are hereby amended similarly as claim 1 is amended. In particular, the further limitations discussed above in relation to claim 1 are now similarly added to claims 11, 12, and 19. Therefore, applicant respectfully submits that claims 11, 12 and 19 also overcome this rejection for at least the same reasons discussed above in relation to claim 1.

Claims 13-15 depend from claim 12. Hence, applicant respectfully submits that claims 13-15 also overcome this rejection for at least the same reasons discussed above in relation to claim 12.

Claim 16

Claim 16 was rejected under Section 102 as being anticipated by Srikanth. Applicant respectfully traverses the rejection with respect to claim 16 as it is now amended.

Claim 16, as amended, recites "**using double Q tagging by inserting a provider VLAN tag in addition to a user VLAN tag to create a tunnel ....**" (Emphasis added.) Hence, the term "double Q tagging" is now defined more specifically in claim 16.

Claim 16, as amended, further recites "**a user-expected service level** is provided in relation to traffic flowing through the tunnel **which provides a security action of dropping the packet or forwarding the packet to management software.**" Thus, the term "user-expected service level" is now limited more specifically in claim 16.

With the above-discussed amendments, applicant respectfully submits that claim 16 is now patentably distinguished over Srikanth. For example, Srikanth does not teach "double Q tagging" in which "a provider VLAN tag" is inserted, in addition to "a user VLAN tag". Srikanth teaches merely a single VLAN tag. For example, box 420 in FIG. 4 of Srikanth shows the insertion of such a single VLAN tag. This is described in column 4, line 39 through column 5, line 12 of Srikanth.
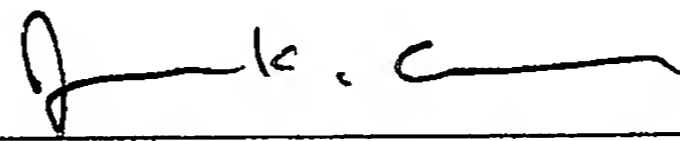
Conclusion

For the above-discussed reasons, applicant respectfully submits that the pending claims now overcome the objections and rejections from the latest office action. Favorable action is respectfully requested.

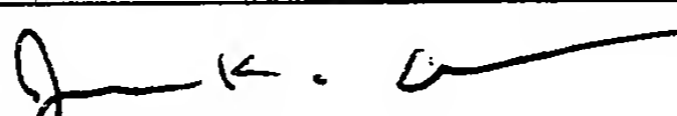The Examiner is also invited to call the below-referenced attorney to discuss this case.

Respectfully Submitted,

Alan Albrecht

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